IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 12465 of 2007(H)

PETITIONER:

CHANDRAMATHY, AGED 42, W/O.RAGHAVAN,
EDAYAMELIL, VETTIYAR,MAVELIKKARA.

BY ADV. SRI.R.PADMAKUMAR
SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:

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1. THE ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA.

2. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICIAL SUB DIVISION, K.S.E.BOARD,
KOLLAKKADAVU.

3. SUSEELA SURESH,SRENILAYAM,
VETIYAR, MAVELIKKARA.

4. PUSHPAKUMARI AMMA,
VEENA BHAVAN, VETTIYAR.

R2 BY ADV. SRI.P.P.THAJUDEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF SETTLEMENT DEED DT.19.10.1978.

P2: ROUGH SKETCH OF THE ROUTE CITED BY R2 & ROUTE CITED BY PETITIONER.

P3: TRUE COPY OF ORDER DT.7.3.07 BY R1.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.12465 of 2007

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Dated this the 13th day of June, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for KSEB. The line approved by ADM over petitioner's property is only weatherproof cable which is insulated and hence benign. Only 25 metres of weatherproof line passes over petitioner's property. The petitioner's contention that the line bifurcates the property does not sound realistic as a single insulated cable cannot bifurcate an item of property. As and when petitioner wants to construct a building, the petitioner can apply for shifting of the line and in any case respondents will retain sufficient clearance for the line from the building. The W.P. is closed as above.

C.N.RAMACHANDRAN NAIR
Judge

pms